S.B.Cr.Misc. Bail App. No.5532/2007
(Avtar Singh Vs. State of Rajasthan)

Date of order : 28.11.2007

HON'BLE MR.H.R.PANWAR, J.

Mr. S.S. Dhillon for the petitioner.

Mr. Ashok Upadhyay, Public Prosecutor.

Heard learned counsel for the petitioner and the Public Prosecutor for the State. Perused the order impugned and the police investigation diary.

It is contended by learned counsel for the petitioner that subsequently by order dated 19.11.2007, the goods which were attached, have been handed-over to the first informant Om Prakash. He has placed on record copy of 'Supradaginama' by which Om Prakash s/o Thakardas, decree holder has received the goods on 'Supradaginama' which was subject matter of the dispute.

Having regard to the facts and circumstances of the case, without commenting on the merit of the case and having considered the facts and circumstances of the case, I consider it just and and proper to grant anticipatory bail to the petitioner.

Accordingly, the bail application filed by the petitioner under Section 438 Cr.P.C. is allowed and it is directed that in the event

of arrest of petitioner Avtar Singh s/o Thakar Singh in FIR No.407/2007 Police Station Kotwali, Sri Ganganagar, he shall be released on bail for a period till the police concludes the investigation and files the challan provided he furnishes a personal bond in the sum of Rs.10,000/- along with one surety of like amount to the satisfaction of Investigating Officer to surrender and appear before the trial court on the date of filing of the challan after conclusion of the investigation on the following order :

(i) That he shall make himself available for interrogation by a police officer as and when required;

(ii) That he shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;

(iii) That he shall not leave India without the previous permission of the Court.

The petitioner shall surrender before the trial court on the date of filing of the challan.

(H.R.PANWAR), J.

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